
Public Utilities Commission of the State of California

Public Agenda 3232

Thursday, April 16, 2009 10:00 a.m.

San Francisco, California

Commissioners

Michael R. Peevey, President

John A. Bohn

Rachelle B. Chong

Dian M. Grueneich

Timothy Alan Simon

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings

505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
Monday, May 04, 2009 (San Francisco)	Thursday, April 16, 2009 (San Francisco)
Monday, May 18, 2009 (San Francisco)	Thursday, May 07, 2009 (San Francisco)
Monday, June 01, 2009 (San Francisco)	Thursday, May 21, 2009 (San Francisco)
Monday, June 15, 2009 (San Francisco)	Thursday, June 04, 2009 (San Francisco)
Monday, July 06, 2009 (San Francisco)	Thursday, June 18, 2009 (San Francisco,)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
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PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda.
- 9, 13, 38, 58

Public Comment:

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Consent Agenda - Orders and Resolutions

1

ALJ 176-3232

[8409]

Ratification of preliminary determination of category for proceedings initiated by application. The preliminary determinations are pursuant to Rule 7.1 of the Commission's Rules of Practice and Procedure.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379366

2 (Rev.)

Res W-4751 - Golden State Water Company (GSWC).

[8348]

This Resolution authorizes a surcharge of \$0.0356 per hundred cubic feet for 12 months to recover \$1,041,462 in the Region II service area and a surcharge of \$0.0298 per hundred cubic feet for 12 months to recover \$943,562 in the Region III service area for its expenses in the Water Conservation Memorandum Account. (AL 1316-W and AL 1317-W filed, January 15, 2009)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3231, Item 11 3/26/2009 (Bohn)

04/14/2009 - This revision was not shown on the Agenda mailed to the public.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380276

3

A08-12-014 - Pacific Gas and Electric Company (Applicant).

[8351]

This decision grants the Applicant's request to increase its authority to finance short-term borrowing needs and procurement-related collateral costs by \$1.5 billion to an aggregate amount not to exceed \$4.0 billion. This proceeding is closed.

(Comr Bohn - ALJ Pulsifer)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 12 3/26/2009 (Simon)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378484

Consent Agenda - Orders and Resolutions (continued)**4** **R05-04-005 - Order Instituting Rulemaking on the Commission's Own Motion to assess and revise the regulation of Telecommunications Utilities.**
[8366]

This decision establishes the tiers in General Order 96-B which Uniform Regulatory Framework Carriers shall use to file advice letters regarding price changes to their special access services.
(Comr Chong - ALJ Bemederfer)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379897

5 **Res ALJ-236**
[8381]

This resolution resolves the appeal of Field Citation 197 (FC-197) issued to Adriana Fortson & Benecia Toms dba Chris Moving Systems and Chris Moving Systems, Inc. Based on the hearing record, the Commission affirms in full FC-197. The appeal process for this citation is closed.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379567

6 **A09-02-012 - The Nevada Hydro Company (Applicant).**
[8382]

For a Certificate of Public Convenience and Necessity for the Talega-Escondido/Valley-Serrano 500-kV Interconnect. A07-10-005 - Related matters. This decision dismisses Applications (A) 09-02-012 and A07-10-005 without prejudice. The Applicant has not provided the required environmental documents that comply with General Order 131-D and the Commission's Rules of Practice and Procedure. As a result, the Commission cannot deem this application complete and cannot carry out its statutory responsibilities under the California Environmental Quality Act. The Commission recognizes that the Project may have potential benefits and encourages the Applicant to take the time and invest the necessary resources to develop an updated application that includes a complete Proponent's Environmental Assessment that fully addresses all of the concerns. These proceedings are closed.

(Comr Chong - ALJ Minkin)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377443

7 **Res W-4755 - California-American Water Company (Cal-Am).**
[8383]

This resolution rejects a rate base offset increase in rates for Cal-Am producing additional gross annual revenues of \$705,789 or 2.07% and rejects tariff sheets attached to Advice Letter (AL) 720-W. (AL 720-W filed, January 18, 2009)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=376251

Consent Agenda - Orders and Resolutions (continued)

8

[8384]

Res T-17198

This resolution sets the user fee for the fiscal year 2008-2009 to be paid by each video franchise holder at \$0.0448 per household in its video franchise territory. This fee will generate revenue equal to the Commission's authorized budget for implementation of AB 2987, the Digital Infrastructure and Video Competition Act.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380324

9

[8387]

I08-04-032 - Investigation on the Commission's Own Motion into the operations and practices of the Yermo Water Co., and its owner/operator, Donald Walker; Notice of Opportunity for Hearing; and Order to Show Cause why the Commission should not petition the San Bernardino County Superior Court for a Receiver to assume possession and operation of the Yermo Water Co. pursuant to the California Public Utilities Code Section 855.

This decision extends the deadline for resolution of this adjudicatory proceeding to August 31, 2009. (Comr Bohn - ALJ Galvin)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=376421

10

[8390]

A08-08-021 - Golden State Water Company, Bear Valley Electric Service Division (Applicant).

This decision (D) addresses Applicant's request for advanced approval of the terms and conditions of a proposed Power Purchase Agreement with Shell Energy North America L.P. (Shell). The application was amended on November 10, 2008, upon execution of transactions between the Applicant and Shell which were included only as proposals in the original application. The Commission finds that the Applicant is still subject to an existing ratemaking settlement agreement adopted in D02-07-041 which included a cost cap to be in effect until the earliest of either August 31, 2011 or certain other conditions are met. Therefore, subject to the ratemaking settlement, the agreement is recoverable in rates without further review through August 31, 2011. The Commission declines to approve rate recovery for the residual portion of the Shell agreement in effect after August 31, 2011 beyond the period covered by the restrictions of the existing settlement. Cost recovery after August 31, 2011 will depend upon the Applicant demonstrating prudent management of the contract. The Commission also grants the Applicant's additional request to create a memorandum account to record unrealized gains and losses on the Shell Agreement. This proceeding is closed.

(Comr Simon - ALJ Long)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E20407

Consent Agenda - Orders and Resolutions (continued)**11 Res G-3432 - Pacific Gas and Electric Company (PG&E).**

[8391] This resolution grants PG&E's request to establish a gas and an electric Memorandum Account to record the revenue requirements on capital expenditures associated with the Marketing Decision Support System database platform replacement project. (Advice Letter (AL) 2989-G and AL 3403-E filed, January 14, 2009)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380107

12 Res T-17204

[8392] This resolution authorizes: (1) a grant in the amount of \$969,000.00 for construction of the Nordheimer Flat Project (Nordheimer), (2) the Executive Director of the California Public Utilities Commission to enter into a contract for Fiscal Agent services associated with Nordheimer and (3) the revisions to Siskiyou Telephone's existing line extension tariffs to address Nordheimer.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380082

13 C06-04-026 - Cox California Telecom, LLC vs Global NAP's California, Inc. (Defendant).

[8393] This decision denies the motion of the Defendant to disqualify Commissioners Bohn & Chong. This proceeding is closed.

(Comr Peevey - ALJ Bemserderfer)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377692

Consent Agenda - Orders and Resolutions (continued)

14 A07-10-003 - Bigredwire.com, Inc. (BRW).

[8395]

For registration as an Interexchange Carrier Telephone Corporation pursuant to the provisions of Public Utilities Code Section 1013. This decision grants the joint motion of BRW and the Commission's Division of Consumer Protection and Safety (CPSD) for Commission adoption of a settlement agreement (settlement) and approves the settlement without changes. The settlement requires BRW to pay a fine of \$20,000 based on its unlawful operation in this State during the years 2000-2001 and from September 23, 2004 to the present, its failure to pay required fees and surcharges or to file required reports with the Commission at any time of its operations in this State, and its violation of Rule 1.1 by failing to disclose in this application the prior revocation of its Certificate of Public Convenience and Necessity (CPCN) and a settlement agreement with the Florida Public Service Commission. The settlement also requires BRW to pay all fees and surcharges owed to the Commission, to timely file required reports with the Commission, and to file a new application for registration that discloses the prior revocation of its CPCN, and the settlement with the Florida Public Service Commission. CPSD will monitor BRW's compliance with the settlement. BRW has admitted the violations and has agreed that the settlement is reasonable. This proceeding is closed.

(Comr Simon - ALJ Prestidge)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379644

15 A08-09-007 - Pacific Gas and Electric Company (PG&E).

[8396]

For expedited approval of the amended Power Purchase Agreement for the Russell City Energy Company LLC (RCEC) Project. This decision approves a settlement agreement entered into by the PG&E, RCEC, The Division of Ratepayer Advocates, The Utility Reform Network, and California Unions for Reliable Energy (collectively Joint Parties) requesting approval of an amended power purchase agreement. The Joint Parties fairly reflect a wide array of affected interests in this proceeding. The Commission first approved the power purchase agreement in Decision 06-11-048. The major amendments to the original power purchase agreement are to the online date and contract price. This amended power purchase agreement is comparable in price and other criteria to the current market for power purchase agreements established in the PG&E's 2008 long-term request for offers. Three parties did not join the settlement and filed opposing comments urging the Commission to not adopt the settlement. The dissenting parties are Californians for Renewable Energy, Inc., Rob Simpson, and "Group Petitioners", which consists of the California Pilots Association, Skywest Townhouse Homeowners Association, and Hayward Area Planning Association. This proceeding is closed.

(Comr Peevey - ALJ Darling)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380318

Consent Agenda - Orders and Resolutions (continued)

16 **Res E-4237 - Southern California Gas Company (SoCalGas), Southern California Edison**
[8397] **Company (SCE), San Diego Gas & Electric Company (SDG&E) and Pacific Gas and Electric**
Company (PG&E) (Collectively Investor Owned Utilities (IOU's)).

This resolution addresses the expanded program implementation plans submitted by the IOUs in response to Decision 08-11-031, which ordered the IOUs to submit detailed overviews of their 2009-2011 Low Income Energy Efficiency and California Alternate Rates for Energy Program's authorized Pilots and Studies. This resolution adopts the IOUs' submitted plans with modifications. SoCalGas Advice Letter (AL) 3945, SCE AL 2307-E, SDG&E AL 2054-E/1829-G, and PG&E AL 2987-G/3399-E, all filed on January 5, 2009, are approved as modified. (AL 3945 filed by SoCalGas on January 5, 2009, AL 2307-E filed by SCE on January 5, 2009, AL 2054-E and AL 1829-G filed by SDG&E on January 5, 2009, and AL 2987-G and AL 3399-E filed by PG&E on January 5, 2009.)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380073

17 **Res T-17202**

[8398] This resolution revises General Order (GO) 153 to incorporate the pre-qualification application system requirements. This resolution also updates the GO 153's current income eligibility requirements and includes other administrative changes.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380280

18 **R06-10-005 - Order Instituting Rulemaking to consider the adoption of a General Order and**
[8399] **procedures to implement the Digital Infrastructure and Video Competition Act of 2006.**

This decision (D) modifies D07-03-014 to extend through Fiscal Year 2012-2013 the current funding mechanism for the regulatory costs associated with the Digital Infrastructure and Video Competition Act of 2006. This change is necessitated to ensure reasonable stability in the fees assessed on franchise holders in the face of transitional issues. This order is brought on the Commission's own motion. This proceeding is closed.

(Comr Chong - ALJ Sullivan)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379573

19 **Res E-4238 - Southern California Edison Company (SCE).**

[8403] This resolution approves SCE's deviation from Rule 18 to allow submetering and billing of electric service by DCOR LLC. (Advice Letter 2313-E filed, January 28, 2009)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377745

Consent Agenda - Orders and Resolutions (continued)

- 20**
[8405] **A09-02-001 - Empire Unified Communications LLC (Applicant).**
This decision grants the Applicant's request for a Certificate of Public Convenience and Necessity under Public Utilities Code Section 1001 for authority to provide limited facilities-based and resold local exchange, and interexchange telecommunications services. The Commission grants the requested authority subject to the terms and conditions. This proceeding is closed.
(Comr Chong - ALJ Weatherford)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=375248
- 21**
[8407] **A08-10-022 - San Diego Gas & Electric Company (Applicant).**
This decision authorizes the Applicant to transfer 4.38 acres of its right of way in San Diego to the Irvine Company, LLC pursuant to Public Utilities Code Section 851. This proceeding is closed.
(Comr Grueneich - ALJ Kim)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
- 22**
[8408] **Res W-4756 - Cold Springs Water Company (CSWC).**
This resolution grants CSWC the authority to borrow from Porter/Cal-Western, Inc. the amount of \$145,201, for system improvements, and to institute a surcharge to pay off the loan. (Advice Letter (AL) 50 filed, December 23, 2008 and Supplemental AL 50-A filed, March 6, 2009)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=373085
- 23**
[8411] **A07-08-020 - League of California Cities (Applicant).**
This decision closes the application for rehearing of Resolution E-4101. The Commission issued Resolution E-4146, which addressed and resolved all the rehearing issues. This proceeding is closed.
(Exam Lindh)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377638
- 24**
[8412] **R06-02-012 - Order Instituting Rulemaking to develop additional methods to implement the California Renewables Portfolio Standard Program.**
This decision extends the statutory deadline for resolving this proceeding to June 29, 2009, pursuant to Public Utilities Code Section 1701.5(a).
(Comr Peevey - ALJ Simon)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378025

Consent Agenda - Orders and Resolutions (continued)

- 25**
[8413] **A08-01-019 - Del Oro Water Company, Inc. (Applicant).**
This decision grants the Applicant a final Certificate of Public Convenience and Necessity to acquire the Mt. Lassen Woods Subdivision water system. This proceeding is closed.
(Exam Kahlon)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377844
- 26**
[8414] **A09-02-003 - PacifiCorp (Applicant).**
For an Order modifying Decision (D) 06-12-011 and granting a waiver of the three year filing requirement contained in D07-07-004. This decision extends the Applicant's use of its Post Test Year Adjustment Mechanism (PTAM) one year to 2010 from 2009 and defers its scheduled general rate case application one year to a 2011 test year from a 2010 test year. A 2010 PTAM attrition filing shall be made by October 15, 2009 as a Tier 2 Advice Letter for the recovery of prudently incurred cost increases. Any rate change related to the PTAM shall be implemented by applying the overall PTAM percentage change as a uniform percentage change to all rate elements adjusted in PacifiCorp's 2007 test year general rate case, excluding Schedules S-99, S-100, S-191, and ECAC-94. This proceeding is closed.
(Comr Bohn - ALJ Galvin)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379845
- 27**
[8415] **A08-12-024 - City of Riverside (Applicant).**
This decision grants the Applicant authorization to construct a grade-separated highway rail-crossing of Magnolia Avenue beneath Union Pacific Railroad Company's Los Angeles subdivision railroad tracks, in the City of Riverside. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378240
- 28**
[8416] **A08-09-004 - City of Madera (Applicant).**
This decision grants the request of the Applicant to construct the Ellis street overcrossing over the track and right-of-way of the Union Pacific Railroad Company in the City of Madera, Madera County. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378247

Consent Agenda - Orders and Resolutions (continued)

- 29**
[8418] **A08-07-034 - Saturn Telecommunication Services Inc., dba STS Telecom (Applicant).**
This decision grants approval of the application for registration and Certificate of Public Convenience and Necessity pursuant to Public Utilities Code Section 1013. This proceeding is closed.
(Comr Chong - ALJ Kim)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377773
- 30 (Rev.)**
[8422] **A08-10-004 - San Diego Gas & Electric Company (SDG&E).**
This decision adopts SDG&E's amended 2009 Energy Resource Recovery Account (ERRA) forecast load, available resources, and costs; approves SDG&E's amended forecasted 2009 ERRA revenue requirement, as modified by the parties, and directs that effective January 1, 2010, SDG&E shall be allowed to include its year-end ERRA balance in rates on January 1 of each year through the annual electric regulatory account update filing, provided that said balance is below the 5% ERRA trigger threshold. The adopted forecasts consist of \$874.555 million of 2009 ERRA forecast revenue requirement, \$44.414 million of 2009 forecast ongoing Competitive Transition Charge revenue requirement, and a 2009 market benchmark price of \$70.48/megawatt-hour (including distribution line losses). This proceeding is closed.
(Comr Peevey - ALJ Farrar)
Pub. Util. Code § 311 – This item was mailed for Public Comment.
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
04/09/2009 - This revision was not shown on the Agenda mailed to the public.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379911
- 31**
[8423] **A08-11-010 - California Department of Transportation (Caltrans).**
This decision grants the request of Caltrans to replace the existing Bradley Overhead Bridge with a new grade-separated structure over the track and right-of-way of BNSF Railway in the City of Merced and County of Merced. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378562

Consent Agenda - Orders and Resolutions (continued)

- 32**
[8424] **A08-10-016 - Som Lal, dba Nor Cal Airport Shuttle & Limo (Applicant).**
This decision authorizes the Applicant to operate as a passenger stage corporation between points in Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Solano Counties, on the one hand, and San Francisco, Oakland, and San Jose International Airports, on the other hand and to establish a zone of rate freedom. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=375904
- 33**
[8425] **A08-08-027 - Kass Hall LLC (Applicant).**
This decision authorizes the Applicant to operate as a passenger stage corporation between Berkeley and San Francisco. This proceeding is closed.
(Exam Clark)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=376584
- 34**
[8429] **Res W-4757 - California Water Service Company (Cal Water).**
This resolution authorizes Cal Water a rate base offset increase in rates producing additional gross annual revenues of \$421,749 or 3.3%. (Advice Letter 1904-W filed, February 12, 2009)
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378425
- 35**
[8431] **A08-10-017 - One Source Networks CLEC LLC (Applicant).**
This decision grants a Certificate of Public Convenience and Necessity pursuant to Public Utilities Code Section 1001 to the Applicant to provide limited facilities-based and resold local exchange and interexchange services in California. This proceeding is closed.
(Comr Chong - ALJ Kim)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377668
- 36**
[8436] **R06-04-010 - Order Instituting Rulemaking to Examine the Commission's Post-2005 Energy Efficiency Policies, Programs, Evaluation, Measurement, and Verification, and Related Issues.**
This decision extends the statutory deadline to June 29, 2009, pursuant to Public Utilities Code Section 1701.5(a) and (b).
(Comr Grueneich - ALJ Gamson)
Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.
http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379035

Consent Agenda - Orders and Resolutions (continued)

37**Res L-377**

[8446]

This resolution authorizes disclosure of certain records concerning the California Public Utilities Commission Consumer Protection and Safety Division's investigation of the incident of May 10, 2006 where Luis Juarez Diaz was killed at the 30200 block of Castlecrest Drive in the Valley Center, Escondido San Diego, California area.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379952

Consent Agenda - Intervenor Compensation Orders**38**

[8370]

C07-03-006 - Carole Dominguez vs. Pacific Gas and Electric Company.

This decision awards \$29,434.84 in compensation to Californians for Renewable Energy for its substantial contribution to Decision 08-02-001. The award is reduced by \$22,038.50 (43%) from the amount requested due to: the disallowance of routine travel to the Commission, reduced hourly rates for two attorneys, unproductive hours and a reduction in excessive hours to reflect the Commission's standards of reasonableness. Today's award will be paid by Pacific Gas and Electric Company. This proceeding is closed.

(Comr Simon - ALJ Prestidge)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379151

39

[8372]

A07-07-026 - Southern California Edison Company (SCE).

For Approval of Advanced Metering Infrastructure Deployment Activities and Cost Recovery Mechanism. This decision (D) awards The Utility Reform Network \$125,980.96 in compensation for its substantial contributions to D08-09-039. This amount is reduced by \$19,419.35 (13%) from the amount requested due to the disallowance of routine travel and related expenses, an adjustment in hourly rates, excessive hours, duplication of efforts and an unrelated task. Today's award will be paid by SCE. This proceeding is closed.

(Comr Grueneich - ALJ Hecht)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 28 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379147

40

[8373]

R04-12-001 - Order Instituting Rulemaking into implementation of Federal Communications Commission Report and Order 04-87, as it affects the Universal LifeLine Telephone Service Program.

The decision (D) awards National Consumer Law Center \$15,989.98 in compensation for its substantial contributions to D08-08-029. This is a decrease of \$5,089.50 (24%) from the amount requested. The Commission reduces the hours of compensation requested to reflect the Commission's policy on reasonableness of hours. Today's award will be paid from the intervenor compensation fund. This proceeding remains open to monitor the implementation of pre-qualification.

(Comr Grueneich - ALJ Jones)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3231, Item 29 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380080

Consent Agenda - Intervenor Compensation Orders (continued)

41 **R04-12-001 - Order Instituting Rulemaking into implementation of Federal Communications Commission Report and Order 04-87, as it affects the Universal LifeLine Telephone Service Program.**
[8374]

This decision (D) awards The Utility Reform Network \$49,194 in compensation for its substantial contributions to D07-05-030 and D08-08-029. This award represents a decrease of \$1,704 (3%) from the amount requested due to the disallowance of routine travel and related expenses, excessive hours and duplication with another attorney. The award will be paid from the intervenor compensation fund. This proceeding remains open to monitor the implementation of pre-qualification.

(Comr Grueneich - ALJ Jones)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

Agenda 3231, Item 30 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378992

42 **R06-05-027 - Order Instituting Rulemaking to continue implementation and administration of California Renewables Portfolio Standard Program.**
[8380]

This decision (D) awards Sustainable Conservation \$21,482.75 in compensation for its substantial contributions to D07-07-027. Today's award is allocated to the three largest affected utilities for payment. This proceeding is closed.

(Comr Peevey - ALJ Division)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 34 3/26/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378486

43 **A07-12-021 - Pacific Gas and Electric Company (PG&E).**
[8388]

For authorization to enter into long-term natural gas transportation arrangements with Ruby Pipeline, for cost recovery in PG&E's Gas and electric rates and nonbypassable surcharges, and for approval of Affiliate Transaction. This decision awards \$8,116 to CALifornians for Renewable Energy (CARE) for its substantial contributions to Decision (D) 08-11-032. The award is \$47,536 (85%) less than CARE requested due to a lack of substantial contributions, excessive hours, and excessive hourly rates. Today's award will be paid by PG&E. This proceeding remains open to address (1) requests for compensation filed by other intervenors, and (2) an application to rehear D.08-11-032 filed by Gas Transmission Northwest Corporation.

(Comr Simon - ALJ Kenney)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E20376

Consent Agenda - Intervenor Compensation Orders (continued)

44

[8427]

R04-12-001 - Order Instituting Rulemaking into implementation of Federal Communications Commission Report and Order 04-87, as it affects the Universal Lifeline Telephone Service Program.

This decision grants \$55,575.56 in intervenor compensation to Disability Rights Advocates for its substantial contributions to Decision (D) 07-05-030 and D08-08-029. This represents a decrease of \$7,963.25 (13%) from the amount requested due to disallowances for excessive hours, administrative tasks, double entry on a timesheet, unreasonable photocopying expenses and an adjusted hourly rate. This proceeding remains open to address the implementation of pre-qualification.

(Comr Grueneich - ALJ Jones)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378097

Regular Agenda

Regular Agenda - Energy Orders

45

[8051]

A05-03-015 - San Diego Gas & Electric Company.

For Adoption of an Advanced Metering Infrastructure Deployment Scenario and Associated Cost Recovery and Rate Design. This decision (D) awards Utility Consumers' Action Network \$460,324 in compensation for its substantial contributions to D07-04-043, a decrease of \$5,967 from the amount originally requested. This proceeding is closed.

(Comr Grueneich - ALJ Gamson)

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3225, Item 30 11/21/2008 (Chong);

Agenda 3226, Item 33 12/4/2008 (Staff);

Agenda 3227, Item 52 12/18/2008 (Staff);

Agenda 3228, Item 43 1/29/2009 (Peevey);

Agenda 3229, Item 39 2/20/2009 (Bohn);

Agenda 3231, Item 25 3/26/2009 (Pub. Util. Code §311(e))

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378497

45a

[8400]

ALTERNATE TO ITEM 8051

This Alternate Decision (D) awards the Utility Consumers' Action Network \$254,324 in compensation for its substantial contributions to D07-04-043 in the second phase of this proceeding, a decrease of \$211,967 from the amount originally requested. This proceeding is closed.

(Comr Bohn)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3231, Item 25a 3/26/2009 (Pub. Util. Code §311(e))

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380283

Regular Agenda - Energy Orders (continued)

46 **R04-04-003 - Order Instituting Rulemaking to Promote Policy and Program Coordination and Integration in Electric Utility Resource Planning.**
[8120]

R04-04-025 - Related matters. This decision addresses a joint petition filed by the Independent Energy Producers Association, and the Cogeneration Association of California, the Energy Producers and Users Coaliton and the California Cogeneration Council (collectively, QF Parties) to modify Decision (D.) 08-07-048. The Commission denies QF Parties' request to suspend the November 2008 filings for retroactive true-up of the Market Index Formula. The Commission also declines to adopt QF Parties' request to revise the procedures for any future adjustments to short-run avoided cost (SRAC) payments. Although the Commission denies QF Parties' Petition, the Commission modifies D.08-07-048 to clarify the procedures for retroactive true-up of SRAC payments. The Commission believes that these procedures, as modified, provide the regulatory certainty that QF Parties maintain is necessary to ensure continued operation of QFs in California.

(Comr Peevey - ALJ Yip-kikugawa)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3227, Item 63 12/18/2008 (Staff);

Agenda 3228, Item 52 1/29/2009 (Simon);

Agenda 3229, Item 49 2/20/2009 (Staff);

Agenda 3231, Item 36 3/26/2009 (Grueneich)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379687

47 **A08-04-022 - Pacific Gas and Electric Company (Applicant).**
[8322]

For recovery of costs deemed reasonable in Generation Divestiture Transaction Costs Memorandum Account pursuant to Decision (D.) 03-02-028. This Decision authorizes the Applicant to transfer transition costs accrued in preparing for the appraisal, sale, or divestiture of hydroelectric generation facilities into the Modified Transition Cost Balancing Account. Costs were deemed reasonable in D03-02-028. This proceeding is closed.

(Comr Peevey - ALJ Sullivan)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 37 3/26/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378345

Regular Agenda - Energy Orders (continued)

48

[8336]

R04-04-003 - Order Instituting Rulemaking to Promote Policy and Program Coordination and Integration in Electric Utility Resource Planning.

R04-04-025 - Related matters. This decision address the petition for modification (Petition) of Decision (D) 07-09-040 filed by the California Cogeneration Council (CCC) and motions filed by CCC and jointly by the Cogeneration Association of California and the Energy Producers and Users Coalition (CAC/EPUC) to adjust the January 2008 avoided cost posting of Pacific Gas and Electric Company (PG&E). D07-09-040 addresses the policies and price of energy purchased from qualifying facilities (QFs) by the investor owned utilities. Specifically, this decision denies CCC's Petition requesting to reinstate the non-price contract terms of firm capacity QFs currently on interim Standard Offer 1 contracts and to update as-available capacity and firm capacity prices on an annual basis. This decision modifies D.07-09-040 to clarify that the Market Index Formula (MIF) and newly adopted as-available capacity prices are effective as of September 20, 2007, the date the decision was adopted. As a result of the modifications ordered in response to the Petition, CCC and CAC/EPUC's motions are granted in part and denied in part. The motions are granted to the extent that PG&E may not utilize the new as-available capacity price until the Commission issues a resolution approving the Tier 3 advice letter implementing the MIF. CCC and CAC/EPUC's motions are denied in all other respects.

(Comr Peevey - ALJ Yip-kikugawa)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 38 3/26/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378089

Regular Agenda - Energy Orders (continued)

48a

[8337]

ALTERNATE TO ITEM 8336

R04-04-025 - Related matters. The alternate decision recommends that the petition filed by the California Cogeneration Council (CCC) to modify Decision (D) 07-09-040 be granted in part and denied in part. Similar to the ALJ's proposed decision, the alternate decision would deny CCC's request to: (1) reinstate the non-price contract terms of firm capacity qualifying facilities currently on interim Standard Offer 1 contracts and (2) update as available capacity and firm capacity prices on an annual basis. The alternate decision would grant CCC's request to clarify the effective date of the Market Index Formula (MIF) and would set the effective date the first month following the Commission's adoption of the resolution approving the Investor Owned Utilities' (IOU's) joint Tier 3 advice letter implementing the MIF. The alternate decision would also grant in part motions filed by CCC and jointly by the CCC and Energy Producers and Users Coalition to adjust the 2008 avoided cost posting of Pacific Gas and Electric Company (PG&E). PG&E may not utilize the new as-available capacity price adopted in D07-09-040 until the Commission issues a resolution approving the IOU's joint Tier 3 advice letter implementing the MIF.

(Comr Peevey)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3231, Item 38a 3/26/2009 (Peevey)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380242

49

[8386]

A08-03-015 - Southern California Edison Company (Applicant).

This decision adopts a solar photovoltaic program (SPVP) to install 250 megawatts (MW) of solar photovoltaic (PV) on rooftops in the service territory of the Applicant. Under the adopted program, the Applicant will own, operate and maintain 160 MW of solar PV rooftop projects and will seek competitive bid for the ownership, installation, and operation of another 90 MW of solar PV rooftops from independent, non-utility solar providers. This proceeding is closed.

(Comr Peevey - ALJ Ebke)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E20364

Regular Agenda - Energy Resolutions and Written Reports**50**

[8315]

Res G-3424 - Pacific Gas and Electric Company (PG&E).

This resolution denies PG&E's request for authorization to establish a new category of nontariffed service entitled Home Services Program. (Advice Letter (AL) 2937-G and AL 3294-E both filed, July 11, 2008)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3230, Item 37 3/12/2009 (Peevey);

Agenda 3231, Item 39 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380123

51

[8343]

Res G-3427 - Southern California Edison Company (SCE).

This resolution approves SCE's request to establish its Credit/Debit Card Bill Payment Option and rejects SCE's proposal to discontinue its Pay-by-Phone payment option. (Advice Letter (AL) 152-G, AL 2269-E and AL 67-W all filed, September 22, 2008)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3231, Item 40 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378501

Regular Agenda - Communication Orders

52

[8317]

R06-05-028 - Rulemaking on the Commission's Own Motion to review the Telecommunications Public Policy Programs.

In 2006, the Commission opened this Rulemaking to evaluate California's universal service public policy programs in light of the competitive forces that had irrevocably changed how consumers purchase communication services. The Commission recognized that "business as usual" monopoly regulatory practices around traditional voice telephone were not sustainable in a competitive communication marketplace with various types of carriers with different technologies competing. Through this Rulemaking, the Commission set out to reform California LifeLine in order to ensure high-quality communication services were affordable and widely available to all. This decision recognizes significant technological and regulatory changes in the telecommunications industry and the flexibility of the statutory structure underlying the Moore Universal Telephone Service Act, which we now refer to as the California LifeLine Program (California LifeLine). The decision reviews the current state of California LifeLine including how, absent change, the fund will grow by more than 60% to almost \$500 million over the next few years. The decision recognizes that the current methodology is not in the best long-term interest of consumers and reviews the options for change. The decision "de-links" California LifeLine from the AT&T basic rate structure in order to ensure ongoing compliance with Section 874 of the Public Utilities Code, and determines that a Specific Support methodology is the best option to continue to meet the goals of the Moore Act and our overall universal service goals. The decision sets a Specific Support discount at 55 percent of the highest basic rate of the state's communications companies without regard to the telecommunication provider or technology of service selected. This has the advantage of providing each customer the same support amount and may provide greater flexibility to low income customers to select services beyond basic residential landline phone service, including voice services from cable providers or from wireless communications services. Such an approach acknowledges the range of providers of voice communications services beyond traditional landline telephones, and enhances technology neutrality by allowing a LifeLine customer to choose the provider that best meets his or her unique needs. The initial California LifeLine discount under the revised methodology will be \$12.20 effective on January 1, 2010. The decision also expands the LifeLine program to include data services for consumers that receive wireless equipment through the Commission's Deaf and Disabled Telecommunications Program (DDTP). Customers who meet the eligibility requirements for both the DDTP and California LifeLine programs can apply their California Lifeline discount to data services provided by carriers. The decision clarifies that wireless carriers may be reimbursed by California LifeLine for providing discounted service to customers, and modifies the income-based criteria to match the low income energy program (CARE) income-based criteria on an interim basis pending the outcome of the review the CPUC is conducting of the interim CARE income-based criteria. Finally, the decision eliminates extra payments to carriers for administration, bad debt, and to make-up for forgone federal support. This proceeding is closed.

(Comr Chong - ALJ Bushey)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Quasi-Legislative.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=E20786

Regular Agenda - Communication Orders (continued)

53

[8432]

R_____ - Rulemaking on the Commission's own Motion into the Exemption from Public Utilities Code Section 851 for Uniform Regulatory Framework and other Competitive Carriers.

The Commission initiates a rulemaking to consider a full exemption from Public Utilities Code Section 851's requirements for the disposition or encumbrance of necessary and useful property for all telecommunications carriers in California except general rate case incumbent local exchange carriers. The rulemaking also considers whether conditions under Section 853(b) should be placed on that exemption.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380458

Regular Agenda - Communication Resolutions and Reports**54**

[8389]

Res T-17199 - AT&T California (AT&T).

This resolution adopts funding for five (5) AT&T broadband projects in underserved areas totaling \$389,154 from the California Advanced Services Fund.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379206

55

[8394]

Res T-17203 - AT&T California (AT&T).

This resolution approves AT&T's Advice Letter (AL) requesting authority to detariff certain residential and business services. (AL 33423 filed August 29, 2008 and revised February 9, 2009)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380101

Regular Agenda - Water/Sewer Orders**56**

[8199]

A08-05-002 - California Water Service Company (Cal Water).

For authority to establish its authorized Cost of Capital for the period from January 1, 2009 through December 31, 2011. A08-05-003, A08-05-004 - Related matters. This decision adopts 2009 Cost of Capital and a return on equity for Cal Water, California American Water Company, and Golden State Water Company. These proceedings remain open.

(Comr Bohn - ALJ Long)

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Ratesetting.

Agenda 3228, Item 68 1/29/2009 (Staff);

Agenda 3229, Item 59 2/20/2009 (Staff);

Agenda 3230, Item 40 3/12/2009 (Bohn);

Agenda 3231, Item 41 3/26/2009 (Bohn)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=378487

57

[8347]

R _____ - Order Instituting Rulemaking on the Commission's Own Motion to Develop Standard Rules and Procedures for Regulated Water and Sewer Utilities Governing Affiliate Transactions and the Proper Use of Regulated Assets for Non-Tariffed Utility Operations (formerly called Excess Capacity).

This Order Instituting Rulemaking is designed to create generic rules for all water and sewer companies with regard to transactions with a parent company and/or affiliates and with regard to the use of regulated assets for non--tariffed services.

Agenda 3230, Item 42 3/12/2009 (Staff);

Agenda 3231, Item 42 3/26/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380454

58

[8421]

I07-06-020 - In the Matter of the Order Instituting Investigation into the Water and Service Quality of Alco Water Company.

After reviewing appeals of the Presiding Officer's decision and finding no legal error, this modified Presiding Officer's Decision finds it in the public interest for Alco Water Company to serve additional customers in its newly filed service area, takes steps to improve service quality and fines Alco for discovery abuses. This proceeding is closed.

(Comr Bohn - ALJ Rochester)

Pub. Util. Code § 1701.2(c), allows this modified Presiding Officer's Decision to be considered in Closed Session.

Pub. Util. Code §1701.1 -- This proceeding is categorized as Adjudicatory.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380317

Regular Agenda - Water/Sewer Resolutions and Reports**59****Res W-4732**

[8200]

This resolution approves the procedures for delegation of authority to staff to issue citations to water and sewer corporations to enforce compliance with the Commission's Orders and the Public Utilities Code and procedures for appeal of citations.

Pub. Util. Code § 311 – This item was mailed for Public Comment.

Agenda 3228, Item 69 1/29/2009 (Staff);

Agenda 3230, Item 43 3/12/2009 (Staff)

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=377499

Regular Agenda - Legislative and Other Matters**60**

[8434]

SB 17 (Padilla) - Electricity: Smart Grid Systems.

This bill requires the California Public Utilities Commission, by July 1, 2010, in consultation with the State Energy Resources Conservation and Development Commission and the Independent System Operator, to determine the requirements for a smart grid deployment plan.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=380374

61

[8435]

AB 44 (Blakeslee) - Energy Storage Facilities.

This bill would authorize the California Public Utilities Commission (Commission) to approve an increase in the rate of return for investment by a corporation in energy storage facilities. This bill would also require the Commission to develop a time-variant tariff that creates incentives for eligible storage facilities.

62

[8437]

SB 14 (Simitian) - Utilities: Public Utilities Commission: Energy: Renewable Energy Resources: Rates.

This bill would increase the Renewables Portfolio Standard to 33% by 2020 and make several changes to the program.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379534

63

[8438]

SCR 8 (Padilla) - Information and Telecommunication Technologies Digital Literacy.

This resolution calls for the Governor of the State of California to create the California Information and Communication Technologies (ICT) Digital Literacy Leadership Council to provide leadership to promote ubiquitous and affordable broadband access and accelerate workforce readiness through the provision of digital literacy skills.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379536

64

[8439]

AB 49 (Feuer) - Water Conservation: Urban Water Use.

This bill would amend the Water Code to require that the state achieve a 20% reduction in urban per capita water use in California by December 31, 2020.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379535

Regular Agenda - Legislative and Other Matters (continued)

65

[8440]

SB 42 (Corbett) - Coastal Resources: Sea water intake.

This bill would prohibit a state agency from approving a new power plant or industrial facility from using an open ocean intake; prohibit an existing power plant or industrial facility with a capacity factor of 20% or less from using a once-through-cooling system on or after January 1, 2015; require the State Water Quality Control Board to develop a plan to phase out other power plants and impose a fee on a power plant or industrial facility using once-through-cooling, based on the amount of seawater used.

http://docs.cpuc.ca.gov/Cyberdocs/AgendaDoc.asp?DOC_ID=379533

Regular Agenda - Commissioner's Reports

Regular Agenda - Management Reports and Resolutions

66

[8442]

Executive Director Clanon Report

Pacific Forest and Watershed Lands Stewardship Council Biannual Report to the California Public Utilities Commission.

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Closed Session - Applications for Rehearing

67

[8401]

Conference with Legal Counsel - Applications for Rehearing

Compilation of applications for rehearing recently filed with the Commission.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

68

[8234]

A06-12-009 - Conference with Legal Counsel - Application for Rehearing

A06-12-010, I07-02-013 - Related matters. Disposition of Applications for Rehearing of Decision (D) 08-07-046, filed by the Greenlining Institute (Greenlining), and Division of Ratepayer Advocates (DRA) and The Utility Reform Network (TURN). D08-07-046 involves the Test Year 2008 general rate cases for San Diego Gas & Electric Company (SDG&E) and Southern California Gas Company (SoCalGas). The Commission adopted a settlement on many of the issues.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Agenda 3228, Item 76 1/29/2009 (Staff);

Agenda 3229, Item 67 2/20/2009 (Staff);

Agenda 3230, Item 46 3/12/2009 (Staff);

Agenda 3231, Item 47 3/26/2009 (Staff)

69

[8367]

C05-11-011 - Conference with Legal Counsel - Application for Rehearing

Disposition of Application for Rehearing of Decision (D) 08-08-017, filed by AT&T California (AT&T) in Complaint (C) 05-11-011, which was brought by Utility Consumer's Action Network. In D08-08-017, the Commission penalized AT&T for failing to provide a "warm line" or "quick dial tone" service, and for failing to provide appropriate notice concerning this service, pursuant to the requirements of the Public Utilities Code. A "warm line" or "quick dial tone" service allows access to emergency "911" service at residences where other telephone service is not provided. The main statutory requirements governing this service are contained in Public Utilities Code Section 2883.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Agenda 3231, Item 49 3/26/2009 (Staff)

Closed Session - Applications for Rehearing (continued)

70

[8420]

R05-06-040 - Conference with Legal Counsel - Application for Rehearing

Disposition of application for rehearing filed by Californians for Renewable Energy of Decision (D) 08-04-023. The underlying proceeding, Rulemaking (R) 05-06-040, concerns implementation of Senate Bill 1488. D08-04-023 the third decision in the underlying proceeding, adopts a “model protective order and non-disclosure agreement”, and mandates its use in all resource adequacy, resource procurement and renewables portfolio standard proceedings, and specifically in the following pending proceedings: R08-01-025, R05-12-013, R04-04-003, R06-02-013, R06-05-027, R06-02-012 and R04-04-026. D08-04-023 also grants in part, and denies in part, a petition for modification filed by the Alliance For Retail Markets and others of D06-06-066 as modified by D07-05-032, concerning the matrices adopted for electric service providers and investor-owned utilities. In addition, D08-04-023 also ratifies rulings made by the presiding Administrative Law Judge regarding the procedure for seeking confidentiality of certain data.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

71

[8426]

C08-06-028 - Conference with Legal Counsel - Application for Rehearing

Disposition of Application for Rehearing of Decision (D) 08-11-040, filed by Jibsail, Inc. In D08-11-040, the Commission dismissed Jibsail’s complaint against San Diego Gas & Electric Company for failure to state a cause of action that falls within the Commission’s jurisdiction.

Gov. Code § 11126(e)(2)(B)(i), allows this item to be considered in Closed Session.

Closed Session - Initiation of Litigation - Non-Federal

Consideration of possible Commission initiation of, or intervention in, litigation.

Gov. Code § 11126(e)(2)(C)(i) and/or § 11126(d)(2), allows this item to be considered in Closed Session.

Closed Session - Threatened Litigation - Non-Federal

Significant exposure to litigation

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Existing Litigation - Non-Federal

Closed Session - Threatened Litigation - Federal

Significant exposure to litigation in federal agency or court proceedings.

Gov. Code § 11126(e)(2)(B), allows this item to be considered in Closed Session

Closed Session - Initiation of Litigation - Federal

Consideration of possible Commission initiation of, or intervention in, federal agency or court proceedings.

Gov. Code § 11126(e)(2)(C)(i), allows this item to be considered in Closed Session.

Closed Session - Federal**72**

[8402]

FERC Docket No. ER06-615 and Related Items. - Conference with Legal Counsel - Existing Litigation

California Independent System Operator Corporation, FERC Docket No. ER06-615, also known as Market Redesign and Technology Update (MRTU).

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - FERC Docket No. EL00-95-000, et al.

Conference with Legal Counsel - Existing Litigation; San Diego Gas & Electric Co., FERC Docket No. EL00-95, Investigation of Practices of the California Independent System Operator and the California Power Exchange, FERC Docket EL00-98, and related dockets, CPUC v. FERC, Ninth Circuit Nos. 01-71051, et al., and 01-71934, et al., and related dockets.

Gov. Code § 11126(e)(2)(A), allows this item to be considered in Closed Session.

Closed Session - Personnel Matters

Consideration of appointment, employment, evaluation of performance, or dismissal of a public employee or to hear complaints or charges brought against that employee by another person or employee.

Gov. Code § 11126(a), allows this item to be considered in Closed Session